

### **REMARKS/ARGUMENTS**

Applicant requests the Office consider the following statements upon further examination of the application.

#### **Claim Amendment**

Claim 1 is amended to remove a semicolon for purposes of more appropriate punctuation of the claim.

Please cancel claims 4-8 and 13-21 directed to non-elected subject matter without prejudice to or disclaimer of the subject matter of these claims.

Claim 22 is a new claim and finds support in the element identified by reference numeral 6 in Figs. 4B, 8, and 11 and in the detailed description at page 14, line 18 through page 15, line 11.

#### **Claim Rejections – 35 U.S.C. §102**

Pending claims 1-3 and 9-12 are rejected pursuant to 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,298,096 to Yoshino et al. Applicant respectfully disagrees and can find no description or structure in the disclosure of Yoshino et al. that meets the limitations of Applicant's claims. In claim 1, Applicant claims a lens with several particular structures: a first face with a channel around a peripheral edge of the lens and a second face with a projection around the peripheral edge of the lens. The lenses disclosed in Yoshino et al. have neither of these structures. Figures 1, 2, 4(a), 4(b), 6, 7, 8(a), and 8(b) in Yoshino et al. depict lenses (11) that have various shapes, e.g., concave or convex on either or both faces of the lenses. However, the lenses of Yoshino et al. have no channels or projections on either surface of the lenses.

The lenses of Yoshino et al. are further described as being held within metal frames. Yoshino et al. differentiates between a lens in and of itself and a "lens section," which "is composed of a lens element 11 and a metal frame 12 attached to the outer peripheral section of the lens element 11." Col. 2, ll. 40-42. The "lens element 11" is the lens in and of itself. This is also apparent in the claims of Yoshino et al., which claim an objective lens made of a "plurality of lens sections, each comprising a lens element supported within an annular metal frame." The metal frame is a carrier surrounding the periphery of the lens element and is attached thereto with a holding ring, caulk, or adhesive. Col. 2, ll. 50-54. While the translation of the Yoshino et al. application into English from Japanese is at times stilted, it is still very apparent from the language that there is a difference between a lens and the frame in which the lens is supported.

In contrast, the lens of the present invention (see element 6 in Figs. 4B, 8, and 11) has an engagement structure in the form of a channel on one face of the lens and an engagement structure in the form of a projection around the periphery of the other side of the lens. These structures are integral parts of the lens itself. The rationale for the lens design presently claimed is described in the instant application as follows:

The lens surfaces are very sensitive to scratching that can result if lenses are allowed to move and touch each other, which is usually the case as prior art lenses are stacked for shipping or for availability during the assembly of the indicating instruments 200. This can be a very serious problem, which often demands careful individual wrapping of individual lenses for storage and handling before assembly into the indicating instruments 200. The present invention solves the problem of scratched lenses 6 by forming a concentric channel 5 and a concentric projection 7 around the circumference of each lens 6, as shown to best advantage in Figure 11. The concentric projection 7 of a first lens 6 can rest in the concentric channel 5 of a second lens 6, thereby interlocking in such a way as to provide good separation and to prevent radial movement between each lens 6 when stacked for shipping or use in assembly of indicating instruments 1. Thus the surfaces of lenses 6 are well protected for bulk handling.

U.S. patent application no. 10/686,819, p. 14, ll. 21-33. In contrast, unless the lenses of Yoshino et al. are placed within the metal frames and the frames are then somehow held together, the Yoshino et al. lenses would be subject to the same problems of scratching when placed on a surface or stacked on an adjacent lens and would still require individual wrapping before storage and shipment to prevent such scratching.

It appears that the examiner is using an overbroad definition of the term lens in formulating the rejections in the present Office action. Although the term lens is used loosely in Yoshino et al. to describe a collection of lenses in frames stacked together in a single unit of multiple lenses, such a structure is not the subject of the present invention. The claims in this application are directed to a single, simple lens with the described, integrally formed, engagement structures. A lens with these integral structures does not appear in the cited prior art. For these reasons, the rejection of claims 1 and 2 is improper, unfounded, and should be withdrawn.

Even if the examiner's overbroad definition of a lens were to include the metal frames of Yoshino et al., the present claims are not anticipated. For example, with respect to claims 1 and 22, the metal frames described in Yoshino et al. do not have a channel, nor is there an engagement structure between an adjacent pair of metal frames to prevent movement between

the frames when they are stacked on top of one another. As shown in Figs. 4(a), 4(b), and 7 of Yoshino et al., the facing surfaces of the stacked metal frames are smooth and do not engage each other to prevent relative movement therebetween. In fact the metal frames must be held together by some other means, e.g., adhesive (see col. 3, ll. 34-36), tap screws (see Fig. 4(a) and co. 3, ll. 50-53), or external tabs screwed together.

With respect to claim 2, there is no first wall or second wall forming in the metal frames forming a channel around the periphery of the lens. The closest structure depicted is the holes in the metal frames of Fig. 4(a) for insertion of tap screws. However, these are holes, not channels. Contrary to the assertion in the Office action, there is no structure depicted in Fig. 5 that is a first wall and a second wall forming a channel. Fig. 5 merely shows a collection of metal frames stacked on top of each other. These same arguments made with respect to claims 1, 2, and 22 apply equally to the remaining claims 3 and 9-12, which are all dependent upon claims 1 and 2. Thus, the rejections of claims 3 and 9-12 should be withdrawn.

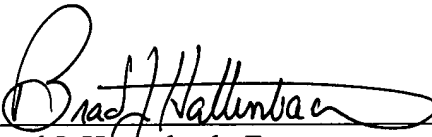
Further, with respect to claims 10 and 11 in particular, the Office action suggests that Yoshino et al. describes a structure in Figs. 6 and 7 to support a bezel and separate it from an optical surface of the lens. Applicant cannot identify any structure in either Fig. 6 or Fig. 7 that either is a bezel or functions similar to a bezel. Further the term "bezel" does not appear anywhere in the specification. Applicant requests that the examiner particularly identify the structure in these figures upon which the rejection is based or withdraw the rejection. Applicant submits that there is in fact no disclosure of a bezel in Yoshino et al., the rejection is unsupported, and should be withdrawn.

The Office action further rejects claims 11 and 12 based upon language found in Yoshino et al. in col. 4, ll. 12-58. Applicant cannot discern what relation this passage has to the subject matter of these claims. Claim 11 is directed to a structure on the lens, particularly one of the walls forming the channel that has a beveled edge to engage a bezel. Claim 12 describes the location of a first wall of the channel structure with respect to a lens body as defined in the claim. Yoshino et al. at col. 4 describes a method for aligning a stack of lenses held in the metal frames to reduce any eccentricities in the lenses using a rotating table and an eccentricity measuring device. Applicant cannot discern what this description in Yoshino et al. has to do with the nature and position of structural features on the claimed lens. Column 4 of Yoshino et al. fails to support a rejection of claims 11 and 12 and thus the rejections should be withdrawn.

Conclusion

Applicant believes claims 1-3, 9-12, and 22 are presently allowable. If after reviewing the arguments presented herein, the examiner still believes that a rejection based upon the Yoshino et al. reference is proper, Applicant requests that the examiner contact undersigned counsel to arrange for an interview to discuss these issues. Otherwise Applicant requests that the rejections be retracted and a timely notice of allowance follow.

Respectfully submitted this 11th day of October 2005.

  
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